

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

<b>Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371</b>		<i>Attorney's Docket Number</i> <b>SCHM3011/REF</b>
		<i>U.S. Application Number</i> <b>10/538,840</b>
<i>International Application Number</i> <b>PCT/EPO3/14079</b>	<i>International Filing Date</i> <b>December 11, 2003</b>	<i>Priority Date Claimed</i> <b>December 13, 2002</b>
<i>Title of Invention</i> <b>TRANS-SIALIDASES OBTAINED FROM TRYPANOSOMA CONGOENSE</b>		
<i>Applicant(s) for DO/EO/US</i> <b>Joachim SCHMITT et al.</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:

1.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
2.  An oath or declaration of the inventor(s) (35 USC 371(c)(4)). ( Executed  Unexecuted)
3.  A copy of Form PCT/DO/EO/905 dated: February 22, 2006.
4.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
5.  An assignment document for recording.  
A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
6.  A **FIRST** preliminary amendment.  
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
7.  A CRF of Sequence Listing.
8.  A change of power of attorney and/or address letter.
9.  A Verified Statement Claiming Small Entity Status.
10.  A Request for Refund.
11.  Surcharge in the amount of \$130.00.
12.  Assignment recordation fee of \$0.00.
13.  Processing fee of \$ for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

A check in the amount of \$ 130.00 to cover the fees is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BACON & THOMAS, PLLC

03/03/2006 GFREY1 00000074 10538840

01 FC:1617

130.00 OP

By:   
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Date: March 1, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,840	Joachim Schmitt	SCHM301/REF
		INTERNATIONAL APPLICATION NO.
		PCT/EP03/14079
		I.A. FILING DATE      PRIORITY DATE
		12/11/2003      12/13/2002
		<b>CONFIRMATION NO. 8834</b>
		<b>371 FORMALITIES LETTER</b>
		*OC000000018066173*

23364  
 BACON & THOMAS, PLLC  
 625 SLATERS LANE  
 FOURTH FLOOR  
 ALEXANDRIA, VA 22314

Date 2-25-06 Atty REF  
 Action Due 12/13/2006  
 Deadline 4-22-06  
 Final Deadline 4-22-06  
 Based on \_\_\_\_\_

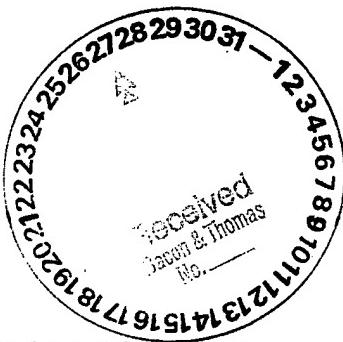
Date Mailed: 02/22/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/13/2005
- English Translation of the IA filed on 06/13/2005
- Copy of the International Search Report filed on 06/13/2005
- Preliminary Amendments filed on 06/13/2005
- Information Disclosure Statements filed on 06/13/2005
- Biochemical Sequence Diskette filed on 06/13/2005
- Biochemical Sequence Listing filed on 06/13/2005
- Request for Immediate Examination filed on 06/13/2005
- U.S. Basic National Fees filed on 06/13/2005
- Priority Documents filed on 06/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

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**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,840	PCT/EP03/14079	SCHM3001/REF

FORM PCT/DO/EO/905 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Joachim SCHMITT et al. Confirmation No: 8834  
Appl. No. : 10/538,840  
Filed : June 13, 2005  
Title : TRANS-SIALIDASES OBTAINED FROM  
*TRYPANOSOMA CONGOENSE*  
  
TC/A.U.: : Unassigned  
Examiner : Unassigned  
  
Docket No.: : SCHM3011/REF  
Customer No: : 23364

**RESPONSE AND SUBMISSION OF MISSING PARTS OF APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated February 22, 2006, in connection with the above-identified application.

The Official Action acknowledges receipt of the application, but indicates that a Declaration in compliance with 37 C.F.R. §1.497(a) and (b) is required. Applicants submit herewith a properly and fully executed Declaration which identifies the application by title and PCT international application number. A copy of form PCT/DO/EO/905 is submitted herewith along with the required \$130.00 surcharge.

It is believed that the application is now in condition for examination. Accordingly, applicants most respectfully request that an Official Filing Receipt be issued and that the application be forwarded to the appropriate examining group for its examination in due course.

Respectfully submitted,  
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MissPts PCT Ltr toPTO.wpd  
March 1, 2006